

COUNTY OF SAN DIEGO
STATEMENT OF PROCEEDINGS
REGULAR MEETING OF BOARD OF SUPERVISORS
WEDNESDAY, FEBRUARY 9, 2000

MORNING SESSION:

Meeting was called to order at 9:04 a.m.

Present: Supervisors Dianne Jacob, Chairwoman; Ron Roberts, Vice Chairman; Greg Cox; Pam Slater; and Bill Horn; also Thomas J. Pastuszka, Clerk.

Public Communication
(No Speakers)

Board of Supervisors' Agenda Items

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1. NOTICED PUBLIC HEARING:
RUTHERFORD RANCH/VOLCAN MOUNTAIN PHASE V – ACQUISITION OF
PARCEL NO. 99-0077-A (RUTHERFORD)
(CARRYOVER ITEM FROM 1/12/00, AGENDA NO. 8)
[FUNDING SOURCE IS ENVIRONMENTAL ENHANCEMENT AND
MITIGATION GRANT]
 2. NOTICED PUBLIC HEARING:
OLIVE HILL ROAD – AUTHORIZATION OF EMINENT DOMAIN
(CARRYOVER ITEM FROM 1/11/00, AGENDA NO. 13)
 3. NOTICED PUBLIC HEARING:
LALANI; TENTATIVE MAP (TM 5103RPL¹), ZONE RECLASSIFICATION (R96-
006), VALLE DE ORO COMMUNITY PLANNING AREA
 4. NOTICED PUBLIC HEARING:
HEARING FOR ESTABLISHMENT OF THE SAN DIEGO COUNTYWIDE
PERMANENT ROAD DIVISION NO. 1000
(CARRYOVER ITEM FROM 1/12/00, AGENDA NO. 3)
[FUNDING SOURCE IS SPECIAL DISTRICTS FORMATION FUND]
 5. SET HEARING FOR 3/29/00, 9:00 A.M.
RESOLUTION OF INTENTION TO ESTABLISH THE SAN DIEGO
COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1008 -
CANTER IN THE ESCONDIDO AREA
 6. CONSTRUCTION OF OLIVE HILL ROAD IMPROVEMENTS IN FALLBROOK
(4 VOTES)

7. SET HEARING FOR 3/22/00, 9:00 A.M.
TIJUANA RIVER VALLEY PARK – ACQUISITION OF PARCEL NO. 99-0095-A
(SHELTON, ET. AL.)
8. ADMINISTRATIVE ITEM:
EXTEND THE TIME TO COMPLETE IMPROVEMENTS FOR COUNTY OF SAN
DIEGO TRACT 4831-1, FINAL MAP 13008, LOCATED IN THE FALLBROOK
COMMUNITY PLANNING GROUP AREA
9. ADMINISTRATIVE ITEM:
EXTEND THE TIME TO COMPLETE IMPROVEMENTS FOR COUNTY OF SAN
DIEGO TRACT 4646-1, FINAL MAP 13321, LOCATED IN THE PALOMAR
MOUNTAIN SPONSOR GROUP AREA
10. ADMINISTRATIVE ITEM:
APPROVAL OF A FINAL MAP AND SECURED AGREEMENTS FOR PUBLIC
AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO.
4938-1, LOCATED IN NORTH COUNTY METROPOLITAN SUBREGIONAL
PLANNING AREA
11. NOTICED PUBLIC HEARING:
SAN VICENTE WASTEWATER TREATMENT FACILITY; MAJOR USE
PERMIT MODIFICATION P73-236W¹ TO ALLOW AN EXPANSION OF AN
EXISTING WASTEWATER TREATMENT FACILITY
12. RESOLUTION OF CONSENT AND JURISDICTION FOR RAMONA
MUNICIPAL WATER DISTRICT ASSESSMENT DISTRICT NO. 99-1
[FUNDING SOURCE IS A RAMONA MUNICIPAL WATER DISTRICT
DEPOSIT]
13. CLOSED SESSION
(CARRYOVER ITEM FROM 2/8/00, AGENDA NO. 18)

1. **SUBJECT: NOTICED PUBLIC HEARING:
RUTHERFORD RANCH/VOLCAN MOUNTAIN PHASE V –
ACQUISITION OF PARCEL NO. 99-0077-A (RUTHERFORD)
(CARRYOVER ITEM FROM 1/12/00, AGENDA NO. 8)
(Supv. Dist: 2)**

OVERVIEW:

Over the past seven years, the County and the San Dieguito Joint Powers Authority (JPA) have worked together to acquire land in the Rutherford Ranch/Volcan Mountain area of San Diego County. To date, the County has acquired approximately 2,410 acres and the JPA has acquired approximately 390 acres.

In August 1998, the Parks and Recreation Department received a grant award in the amount of \$250,000 from the Environmental Enhancement and Mitigation grant program. On September 22, 1998 (3), the Board approved the establishment of appropriations in the amount of \$250,000 in Capital Project KA9014 for the Rutherford Ranch/Volcan Mountain Phase V acquisition.

On January 12, 2000 (8), the Board directed the Clerk to publish the Notice of Intention to Purchase and set this matter for February 9, 2000 to consider the purchase of Parcel 99-0077-A. The Board is requested to approve the Purchase and Sale Agreement for the purchase of Parcel No. 99-0077-A from Phillip Rutherford for the appraised value of \$243,455.

FISCAL IMPACT:

Funds for this \$243,455 purchase proposal are budgeted in Capital Project KA9014, Rutherford Ranch/Volcan Mountain Phase V Acquisition. The funding source is the Environmental Enhancement and Mitigation grant. If approved, this proposal will result in a cost of \$243,455 in Fiscal Year 1999/2000, no additional cost in subsequent years, and the addition of no staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Approve the Purchase and Sale Agreement for the purchase of Parcel No. 99-0077-A (Rutherford) for \$243,455 and authorize the Clerk of the Board to execute two copies of the contract, upon receipt.
2. Authorize the Director, Department of General Services, or assignee, to execute all documents necessary to complete the purchase.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors closed the Hearing and took action as recommended on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

2. **SUBJECT: NOTICED PUBLIC HEARING:
OLIVE HILL ROAD – AUTHORIZATION OF EMINENT DOMAIN
(CARRYOVER ITEM FROM 1/11/00, AGENDA NO. 13)
(Supv. Dist: 5)**

OVERVIEW:

On January 11, 2000 (13), the Board set a hearing date for February 9, 2000 to consider the adoption of a Resolution of Public Necessity for the Olive Hill Road project.

Ongoing negotiations with the remaining property owners, Mr. and Mrs. William L. Chuck, have resulted in the successful acquisition of the necessary property rights. All property rights for the project have now been acquired. It is no longer necessary to hold the public hearing or adopt the Resolution of Public Necessity for the project.

FISCAL IMPACT:

There is no fiscal impact associated with this request.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Accept the staff report on the Olive Hill Road acquisition.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors closed the Hearing and took action as recommended on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

3. **SUBJECT: NOTICED PUBLIC HEARING:
LALANI; TENTATIVE MAP (TM 5103RPL¹), ZONE
RECLASSIFICATION (R96-006), VALLE DE ORO COMMUNITY
PLANNING AREA
(Supv. Dist: 2)**

OVERVIEW:

This is an appeal by the Valle de Oro Community Planning Group of a Planning Commission decision to approve a Tentative Map and recommend approval of a concurrently-filed Zone Reclassification. The project proposes a Zone Reclassification (R96-006) from A70 (Limited Agriculture, 1 dwelling unit per acre) to RR2 (Rural Residential, 2 dwelling units per acre) and Tentative Map (TM 5103RPL¹), for a subdivision of 14.1 acres. Twenty-one (21) single-family residential lots ranging in size from 0.50 acre to 0.94 acre are proposed. The site is designated (3) Residential in the Valle de Oro Community Plan and is located on the north side of Fury Lane between Sundown Lane and Camino Alegre.

FISCAL IMPACT:

Not applicable.

BUSINESS IMPACT STATEMENT:

Not applicable.

RECOMMENDATION:

PLANNING COMMISSION:

1. Find, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment. Consider the Negative Declaration together with comments received during public review and adopt it finding that it reflects the independent judgment and analysis of the Board of Supervisors.
2. Adopt the Ordinance (R96-006) approving a change from A70 Limited Agriculture, 1 dwelling unit per acre to RR2 Rural Residential, 2 dwelling units per acre with other designators shown in the Ordinance.
3. Deny the appeal and adopt the Resolution Approving Tentative Map 5103RPL¹ which makes the appropriate findings and includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State Law.
4. Adopt the "Multiple Species Conservation Plan and Biological Mitigation Ordinance Findings of Conformance, TM 5103RPL¹" included within the project's environmental documentation.

RECOMMENDATION:

DEPARTMENT OF PLANNING AND LAND USE:

The Department concurs with the Planning Commission.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors continued the Hearing to March 22, 2000, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

4. **SUBJECT: NOTICED PUBLIC HEARING:
HEARING FOR ESTABLISHMENT OF THE SAN DIEGO
COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000
(CARRYOVER ITEM FROM 1/12/00, AGENDA NO. 3)
(Supv. Dist: All)**

OVERVIEW:

On August 30, 1999, Governor Davis signed into law Senate Bill 614, proposed by San Diego County, which changes Permanent Road Division Law to allow for the formation of a Countywide Division to better serve property owners in the unincorporated area of San Diego County. This law offers benefiting property owner groups a means to band together by forming zones of benefit to improve and maintain their roads and share the costs.

On January 12, 2000 (3), the Board approved the Resolution of Intention to Form the San Diego Countywide Permanent Road Division No. 1000. This noticed hearing is being held to provide the public an opportunity to speak to the issue of the proposed formation and for the Board to consider approval of the resolution.

FISCAL IMPACT:

Funds for this request are budgeted. Funding source is the Special Districts formation fund, which will be reimbursed after formation when funding is in place. If approved, this request will result in a current year cost of approximately \$1,000 and will require addition of no staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find, in accordance with Section 15061(b)(3), of the California Environmental Quality Act (CEQA) Guidelines that it can be seen with a certainty there is no possibility the following action may have a significant effect on the environment.
2. Adopt a Resolution entitled Resolution Establishing San Diego Countywide Permanent Road Division No. 1000, Certain Zones Thereof and Providing for Consolidation of Previously Existing Permanent Road Divisions Into Those Zones.
3. Read title and waive further reading of the following Ordinances.
 - a. AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1001 – CAPRA WAY.
 - b. AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1002 – SUNNY ACRES.
 - c. AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1003 – ALAMO WAY.

- d. AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1004 – BUTTERFLY LANE.
- e. AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1005 – EDEN VALLEY.
- f. AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1006 – NORTH VIEW.
- g. AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1007 – TUMBLE CREEK.

Introduce Ordinances for further Board consideration on Tuesday, February 15, 2000.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors took action as recommended on Consent, adopting Resolution No. 00-39, entitled: RESOLUTION ESTABLISHING SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, CERTAIN ZONES THEREOF AND PROVIDING FOR CONSOLIDATION OF PREVIOUSLY EXISTING PERMANENT ROAD DIVISIONS INTO THOSE ZONES, and introduced Ordinances for further Board consideration on Tuesday, February 15, 2000.

AYES: Cox, Jacob, Slater, Roberts, Horn

5. **SUBJECT: SET HEARING FOR 3/29/00, 9:00 A.M.**
RESOLUTION OF INTENTION TO ESTABLISH THE SAN DIEGO
COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE
NO. 1008 - CANTER IN THE ESCONDIDO AREA
(Supv. Dist: 5)

OVERVIEW:

Property owners benefiting from Canter Road and Top Rail Lane, two roads in the unincorporated area of San Diego County, have filed a Petition of Understanding and Support in order to form a Permanent Road Division zone of benefit.

This request is to accept the petition, adopt a Resolution of Intention to Establish the Permanent Road Division Zone, and approve the Engineer's Report so that staff can proceed with the mailed ballot proceeding required by State law. The Permanent Road Division program is available to unincorporated area property owners as a means to improve and maintain their roads. It provides an opportunity similar to a County Service Area at a lower cost and in less time.

FISCAL IMPACT:

Funds for administering these requests are budgeted in the Special Districts formation fund. If approved, this request will result in a current year processing cost charged to the formation expense for Canter of \$125.00. There is no associated annual cost and no additional staff years are required.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find, in accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, that it can be seen with certainty there is no possibility the activity in question may have a significant effect on the environment.
2. Accept the Petition of Understanding and Support, on file in the Office of Special Districts, requesting formation of a Permanent Road Division zone to improve and maintain Canter Road and Top Rail Lane.
3. Adopt a Resolution entitled Resolution of Intention to Establish the San Diego Countywide Permanent Road Division Zone No. 1008 – Canter, which sets March 29, 2000, as the date of the required public hearing.
4. Direct staff to prepare and conduct a mailed ballot proceeding stipulated by State law to owners of property located within the boundary of the proposed Permanent Road Division zone.
5. Approve the Engineer's Report for proposed San Diego Countywide Permanent Road Division Zone No. 1008 - Canter on file in the Special Districts Office of the Department of Public Works.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors took action as recommended on Consent, adopting Resolution No. 00-40, entitled:
RESOLUTION OF INTENTION TO ESTABLISH THE SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000 ZONE NO. 1008 – CANTER; and set Hearing for March 29, 2000, 9:00 a.m.

AYES: Cox, Jacob, Slater, Roberts, Horn

6. **SUBJECT: CONSTRUCTION OF OLIVE HILL ROAD IMPROVEMENTS IN FALLBROOK**
(Supv. Dist: 5)

OVERVIEW:

The Olive Hill Road improvement project will construct a center lane on Olive Hill Road to provide left-turn pockets for the Fallbrook Sports Park entrance and onto Mission Road in Fallbrook. Approximately one-quarter mile of Olive Hill Road, extending south from Mission Road, will be widened to accommodate these improvements. The project is included in the Public Works Detailed Work Program, and will benefit the community by improving traffic flow and safety at the park entrance and the Mission Road intersection.

Since last fiscal year, when this project was budgeted, Public Works has encountered higher than anticipated bids due primarily to increased costs of raw materials needed for asphalt concrete. Now, with completed design, specifications, and final detailed estimate based on anticipated higher bids, it has been determined additional funds are required for successful completion of the project.

This is a proposal to increase appropriations for this project by \$92,000 for a total project amount of \$492,000, and to approve advertisement and subsequent award of a construction contract.

FISCAL IMPACT:

Funds for this proposal are partially budgeted in the Department of Public Works Fiscal Year 1999-00 Detailed Work Program. Budgeted funding sources are Gas Tax and State Matching Funds (\$400,000 combined). Additional appropriations are funded by available State Exchange Funds (\$92,000). Use of State Exchange Funds for this project will not impact other planned Public Works projects. If approved, this request will result in a total project cost of \$492,000 in the current year, no annual cost and will require no additional staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find in accordance with Section 15301(c) of the California Environmental Quality Act Guidelines that this project is categorically exempt from the provisions of the Guidelines as a minor alteration of an existing roadway involving negligible expansion of existing use.

2. Establish additional appropriations in the amount of \$92,000 in Activity 1C8012 (Olive Hill Road Improvements), Org. 5766, Account 2324, Task 324, based on State Exchange Funds. (4 VOTES)
3. Authorize the Deputy Director, Purchasing and Contracting Division of General Services, to take any action authorized by Section 398.17.3(a) of the Administrative Code with respect to contracting for the subject public works project.
4. Designate the Director, Department of Public Works, as the County Officer responsible for administering the contract.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors took action as recommended on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

7. **SUBJECT: SET HEARING FOR 3/22/00, 9:00 A.M.**
TIJUANA RIVER VALLEY PARK – ACQUISITION OF PARCEL NO.
99-0095-A (SHELTON, ET. AL.)
(Supv. Dist: 1)

OVERVIEW:

During the Fiscal Year 1997/1998 State budget deliberations, the legislature appropriated \$2,000,000 to the Coastal Conservancy for land acquisition within the Tijuana River Valley. On November 12, 1997 (5), the Board adopted a Resolution authorizing the Department of Parks and Recreation to accept \$2,000,000 in grant funds and enter into a grant agreement with the State of California Coastal Conservancy for property acquisitions in the Tijuana River Valley. Subsequent to this action, the Coastal Conservancy Board adopted the Tijuana River Valley Enhancement Plan and authorized funding to the County of San Diego to assist with the acquisition of property within the Valley, as authorized by the legislature.

The Board is requested to set a hearing for March 22, 2000 to consider the purchase of Parcel No. 99-0095-A (Shelton, et. al.).

FISCAL IMPACT:

There is no fiscal impact associated with this request. Should the Board approve the purchase on March 22, 2000, funds for the acquisition are budgeted in Capital Project KA9730, Tijuana River Valley Acquisitions. The purchase would result in a cost of \$1,758,750 in fiscal year 1999/2000, no additional costs in subsequent years and the addition of no staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Direct the Clerk of the Board of Supervisors to publish the required Notice of Intention to Purchase in accordance with Government Code Sections 25350 and 6063.

2. Set this matter for March 22, 2000 at which time the Board may consummate the purchase of Parcel No. 99-0095-A (Shelton, et. al.).

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors took action as recommended on Consent, setting Hearing for March 22, 2000, 9:00 a.m.

AYES: Cox, Jacob, Slater, Roberts, Horn

8. **SUBJECT: ADMINISTRATIVE ITEM:**
EXTEND THE TIME TO COMPLETE IMPROVEMENTS FOR
COUNTY OF SAN DIEGO TRACT 4831-1, FINAL MAP 13008,
LOCATED IN THE FALLBROOK COMMUNITY PLANNING GROUP
AREA
(Supv. Dist: 5)

OVERVIEW:

This is a request to extend, for a period of two years, the performance completion date for County of San Diego Tract 4831-1. This project contains a total of 12 lots, on 14.79 acres. It is located in the Fallbrook area, on the northwesterly side of Brooke Road at Winterhaven Road (Thomas Guide 1027, J-7, 2000 Edition)

FISCAL IMPACT:

Not applicable

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Grant an extension of time for a period of two years, ending March 4, 2002, for the performance completion date for County of San Diego Tract 4831-1.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors took action as recommended on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

9. **SUBJECT: ADMINISTRATIVE ITEM:**
EXTEND THE TIME TO COMPLETE IMPROVEMENTS FOR
COUNTY OF SAN DIEGO TRACT 4646-1, FINAL MAP 13321,
LOCATED IN THE PALOMAR MOUNTAIN SPONSOR GROUP AREA
(Supv. Dist: 5)

OVERVIEW:

This is a request to extend, for a period of two years, the performance completion date for County of San Diego Tract 4646-1. This project contains a total of 12 lots on 119.77 acres. It is located in

the Birch Hill area of Palomar Mountain, at the northerly corner of Conifer Road, (Thomas Guide 409, G-7, 2000 Edition)

FISCAL IMPACT:

Not applicable

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Grant an extension of time for a period of two years, ending April 17, 2002, for the performance completion date for County of San Diego Tract 4646-1.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors took action as recommended on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

10. **SUBJECT: ADMINISTRATIVE ITEM:**
APPROVAL OF A FINAL MAP AND SECURED AGREEMENTS FOR
PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN
DIEGO TRACT NO. 4938-1, LOCATED IN NORTH COUNTY
METROPOLITAN SUBREGIONAL PLANNING AREA
(Supv. Dist: 5)

OVERVIEW:

This project is a subdivision consisting of 9 single-family residential lots, and a total acreage of 5.43 acres. It is located in the Vista/San Marcos area, on the northwesterly side of Mimosa Avenue, approximately 800' easterly of its intersection with Oleander Avenue. (Thomas Guide, Page 1108, B-5, 2000 Edition)

The project is being brought before the Board for approval of the final map and the secured agreements for the public and private improvements.

FISCAL IMPACT:

This request will have no fiscal impact.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Approve this map and accept on behalf of the public, subject to improvements, the Portion of Mimosa Avenue for use as a street as dedicated on said map.
2. Accept the access restriction easements, and the clear space easement, all as granted on said map.

3. Reject, on behalf of the public, Matte Lane together with the right to extend and maintain drainage facilities and excavation and embankment slopes beyond the limits of the right-of-way, as offered for dedication on said map.
4. Approve and authorize the Clerk of the Board of Supervisors to execute the Agreement to Improve Major Subdivision, which includes the street improvements and drainage facilities, sewer facilities, water facilities, setting of final monuments, and park land fees.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors took action as recommended on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

11. **SUBJECT: NOTICED PUBLIC HEARING:
SAN VICENTE WASTEWATER TREATMENT FACILITY; MAJOR
USE PERMIT MODIFICATION P73-236W¹ TO ALLOW AN
EXPANSION OF AN EXISTING WASTEWATER TREATMENT
FACILITY**
(Supv. Dist: 2)

OVERVIEW:

This is an appeal by Frank Thibault of a Planning Commission decision to approve a Major Use Permit Modification for the existing San Vicente Wastewater Treatment Facility. The Modification will permit the facility to expand in order to increase the average dry weather flow capacity of the facility from 0.60 million gallons per day (mgd) to 0.80 mgd. Expansion of the facility will consist of improvements and additions to process facilities at the plant site and construction of a new storage pond and stream diversion channel. The Modification will also allow for the construction of a reclaimed water line within San Vicente Road from the new storage pond to the San Vicente Golf Course, located approximately 1.5 miles east of the project. The 59.4-acre project site is located on the north side of San Vicente Road, approximately 1,000 feet east of Wildcat Canyon Road within the Ramona Community Planning Area. The General Plan is (22) Public/Semi-Public and the zone is A70 Limited Agricultural Use Regulations.

FISCAL IMPACT:

Not applicable

BUSINESS IMPACT STATEMENT:

Not applicable

RECOMMENDATION:

PLANNING COMMISSION:

1. Find that the Board of Supervisors has reviewed and considered the information contained in the Mitigated Negative Declaration dated October 5, 1999, prior to approving the project.

2. Deny the appeal and grant Major Use Permit Modification P73-236W⁶ that makes the appropriate findings and includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with The Zoning Ordinance and State law.

RECOMMENDATION:

DEPARTMENT OF PLANNING AND LAND USE:

The Department concurs with the Planning Commission.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Slater, the Board of Supervisors continued the Hearing to March 22, 2000; directed County Counsel to review the EIR and the Negative Declaration; directed the Chief Administrative Officer to re-look at the findings based on public testimony; answer questions regarding the parallel piping system that would be required and any alternative that may be considered.

AYES: Cox, Jacob, Slater, Roberts, Horn

12. **SUBJECT: RESOLUTION OF CONSENT AND JURISDICTION FOR RAMONA MUNICIPAL WATER DISTRICT ASSESSMENT DISTRICT NO. 99-1**
(Supv. Dist: 2)

OVERVIEW:

The Ramona Municipal Water District, an independent district, adopted a resolution on October 12, 1999, requesting the County's consent and jurisdiction to form an assessment district to finance costs for expansion of the San Vicente Wastewater Treatment Plant from 0.6 to 0.8 million gallons per day (mgd) ultimate capacity. The Ramona Municipal Water District is conducting proceedings pursuant to provisions of the Municipal Improvement Act of 1913. Since the parcels to be assessed are in the unincorporated area of the County, the 1913 Act require the Board to grant consent and jurisdiction for the formation of the proposed assessment district. This is a request to adopt a Resolution granting consent and jurisdiction pursuant to the 1913 Act.

FISCAL IMPACT:

There will be no County cost. Funding source for staff time is a Ramona Municipal Water District deposit. If approved this request will result in no current year or annual cost, and will require addition of no staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Certify the Board has reviewed and considered the Ramona Municipal Water District's finding of Final Mitigated Negative Declaration dated November 23, 1999, for this project.
2. Adopt a Resolution entitled Resolution Granting Consent and Jurisdiction for Formation of the Ramona Municipal Water District's Assessment District No. 99-1.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors took action as recommended on Consent, adopting Resolution No. 00-44, entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS GRANTING CONSENT TO THE FORMATION OF A SPECIAL ASSESSMENT DISTRICT.

AYES: Cox, Jacob, Slater, Roberts, Horn

13. **SUBJECT: CLOSED SESSION**
(CARRYOVER ITEM FROM 2/8/00, AGENDA NO. 18)
(SUPV. DIST: ALL)
- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Kelvin E. Wiley, et al. v. County of San Diego, Et Al.; San Diego Superior Court No. 659219
 - B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
County of San Diego v. George Winch, Et Al.; North County Superior Court No. N079308-1
 - C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Jacqueline Coyle, et al. v. McDonnell Douglas, Et Al.; San Diego Superior Court No. 718141
 - D. CONFERENCE WITH LABOR NEGOTIATORS
Designated Representative: Carlos Arauz, Madge Blakey and Mike Kolb
Employee Organizations: Deputy Sheriffs' Association and District Attorney Investigators

ACTION:

County Counsel reported the following: Item B, County of San Diego v. George Winch, the Board of Supervisors has authorized County Counsel to settle this Eminent Domain action in the amount of \$34,300.

There being no further business, the Board adjourned at 10:02 a..m.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
County of San Diego, State of California

Notes by: Egan

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NOTE: This Statement of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.